

WANGER JONES HELSLEY PC

265 East River Park Circle, Suite 310
Fresno, California 93720
Telephone: (559) 233-4800
Facsimile: (559) 233-9330

John P. Kinsey #215916

jkinsey@wjhattorneys.com

Kathleen D. DeVaney #156444

kdevaney@wjhattorneys.com

Ian J. Quinn #342754

iquinn@wjhattorneys.com

Attorneys for: Defendant TSB Ag, Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BANK OF AMERICA, N.A., a national banking
association,

Plaintiff,

v.

CAPITAL MED FARMS, LLC, a California
limited liability company; GOLDEN STATE
FARM CREDIT, FLCA, a federal Farm Credit
System institution; GOOD EARTH
PARTNERS LP, a California limited
partnership; JIM TRAYNHAM, an individual;
JAMIE TRAYNHAM, an individual; MF
FARMS, INC., a California agricultural
collective; NAVA FARMS, INC., a California
corporation; PACIFIC REALTY
ASSOCIATES, L.P. dba M&T CHICO
RANCH, a Delaware limited partnership;
RANDOLPH SALVESON, an individual;
SIERRA ORCHARDS, L.P., a California
limited partnership; and TSB AG INC., a
California Corporation; AFFENTRANGER
FARMS, LLC, a California limited liability
company; ALLEN

Case No.: 2:24-cv-02309-CKD

**EXHIBITS TO REQUEST FOR
JUDICIAL NOTICE IN SUPPORT OF
REPLY BRIEF IN SUPPORT OF
MOTION TO DISMISS PLAINTIFF'S
FIRST AMENDED COMPLAINT FOR
DECLARATORY JUDGMENT
PURSUANT TO FEDERAL RULES OF
CIVIL PROCEDURE 12(B)(6) AND
(B)(7) OR, IN THE ALTERNATIVE,
MOTION FOR STAY**

Action Filed: August 23, 2024

Date: March 20, 2025

Time: 1:30 a.m.

Courtroom: 10

JASCHKE, an individual; BARRIOS BROS., INC., a California corporation; CHARLES HERMLE FARMS, INC., a California corporation; DANNA FARMS INC., a California corporation; DARREL PARSLEY, an individual; FEDORA FARMS, INC., a California corporation; GRACIE BELLE FARMS, LLC, a California limited liability company; JERRY M. SEIBERT FARMS, INC, a California corporation.; JOE YEUNG FARMS, INC., a California corporation; JUST FARMS LP, a California limited partnership; LINDAUER FARM MANAGEMENT, INC., a California corporation; LLANO SECO MEATS, LLC, a California limited liability company; M & C MYERS, INC. dba MYERS SEED, a California corporation; MARY TRAYNHAM, an individual; MUMMA BROTHERS, a general partnership; NOR CAL NUT CO, a California corporation; PB ORCHARDS, LLC, a California limited liability company; PEARSON FARMS, a general partnership; PUTAH CREEK FARMING CO., a California corporation; RIVER VISTA FARMS LLC, a California limited liability company; ROMINGER BROTHERS FARMS, INC., a California corporation; STRAIN FARMING JOINT VENTURE, L.P., a California limited partnership; and ZANE AMARO d/b/a ZANE AMARO FARMS, an individual,

Defendants.

EXHIBIT	DESCRIPTION
1	Fresno County Superior Court Docket for Case No. 24CECG03728, <i>Asellus-Placer LLC v. Andersen & Sons Shelling, Inc.</i>
2	Minute Order filed by the Superior Court of California, County of Yolo, in Case No. CV2024-2143, <i>Putah Creek Farming, Co. v. Andersen & Sons Shelling, Inc.</i> , on January 6, 2025.
3	Stipulation to Transfer Venue to Tehama County Superior Court; Order, filed by Plaintiffs Asellus-Placer LLC, et al., in Case No. 24CECG03728, <i>Asellus-Placer LLC, et al. v. Andersen & Sons Shelling, Inc.</i> , in the Fresno County Superior Court on January 30, 2025.
4	Yolo County Superior Court Docket for Case No. CV2024-2143, <i>Putah Creek Farming Co. v. Andersen & Sons Shelling, Inc.</i>

EXHIBIT	DESCRIPTION
5	Yuba County Superior Court Docket for Case No. CVCV024-01097, <i>Danna Farms Inc. v. Andersen & Sons Shelling, Inc.</i>
6	Butte County Superior Court Docket for Case No. 24CV02570, <i>Nava Farms, Inc., et al. v. Andersen & Sons Shelling, Inc.</i>
7	Minute Order filed by Superior Court of California, County of Butte in Case No. 24CV02570, <i>Nava Farms, Inc. et al. v. Andersen & Sons Shelling, Inc.</i> , on January 29, 2025.
8	Case Management Statement filed by Plaintiffs Nava Farms, Inc. and Good Earth Partners, LP, in Case No. 24CV02570, <i>Nava Farms, Inc., et al. v. Andersen & Sons Shelling, Inc.</i> , in the Superior Court of California, County of Butte on January 17, 2025.

Dated: February 20, 2025

WANGER JONES HELSLEY PC


By: 
 John P. Kinsey
 Kathleen D. DeVaney
 Ian J. Quinn
 Attorneys for Defendant TSB Ag, Inc.

EXHIBIT “1”

Case Information

24CECG03728 | Asellus - Placer LLC vs. Andersen & Sons Shelling, Inc.

Case Number	Court	Judicial Officer
24CECG03728	Civil	Tharpe, D Tyler
File Date	Case Type	Case Status
08/26/2024	06 Unlimited - Breach of Contract/Warranty	Open

Party

Plaintiff	Active Attorneys ▼
Asellus - Placer LLC	Lead Attorney
	Stouder, Daniel S
	Retained

Plaintiff	Active Attorneys ▼
Pai Big Valley Ranch, LLC	Lead Attorney
	Stouder, Daniel S
	Retained

Plaintiff	Active Attorneys ▼
Pai Bulldog Ranches, LLC	Lead Attorney
	Stouder, Daniel S
	Retained

Plaintiff	Active Attorneys ▼
Pai H&K Ranches, LLC	Lead Attorney

Plaintiff
Sunshine Agriculture Incorporated

Active Attorneys ▼
Lead Attorney
Stouder, Daniel S
Retained

Plaintiff
Pai River Bend Ranches, LLC

Active Attorneys ▼
Lead Attorney
Stouder, Daniel S
Retained

Defendant
Andersen & Sons Shelling, Inc.

Events and Hearings

08/26/2024 Civil Complaint filed ▼
8-26-24 Complaint
08/26/2024 Civil case cover sheet ▼
8-26-24 Civil Case Cover Sheet
09/03/2024 Summons issued and filed ▼
9-3-24 Summons
09/03/2024 Notice Filed ▼

Comment Notice of Case Management Conference and Assignment of Judge for All Purposes
09/10/2024 Proof of Service ▼ 09/10/2024 - Proof of Service
09/10/2024 Summons and Complaint ▼ Served 09/05/2024
12/31/2024 Case Management Statement Filed ▼ 12/31/24 Case Management Statement
01/16/2025 Case Management Conference ▼ Original Type Case Management Conference Judicial Officer Brickey, Daniel Hearing Time 3:00 PM Result Heard
01/16/2025 Remote Appearance Via Courtcall ▼ Comment SPA by M Hopkins for Plaintiff
01/16/2025 Minute Order Attachment ▼ 1/16/25 Minute Order Attachment Comment with clerk's certificate of mailing
01/29/2025 Order Received for Signature ▼ 01/30/25 Stipulation and Order to Transfer Venue Comment ** Order signed Pending process Stipulation to Transfer Venue to Tehama County Superior Court; Proposed Order
01/30/2025 Chamber Work - CG Orders - PRE ▼

Original Type
Chamber Work - CG Orders - PRE

Judicial Officer
Tharpe, D Tyler

Hearing Time
5:30 PM

Result
Chambers Work - Order Submitted for Consideration

Comment
Stipulation and Proposed Order to Transfer Venue

01/30/2025 Stipulation and Order filed ▼

01/30/25 Stipulation and Order to Transfer Venue

Judicial Officer	Comment
Tharpe, D Tyler	to Transfer Venue to Tehama County Superior Court

06/25/2025 Case Management Conference ▼

Judicial Officer
Brickey, Daniel

Hearing Time
3:00 PM

Cancel Reason
Off Calendar

Financial

Asellus - Placer LLC				
Total Financial Assessment				\$455.00
Total Payments and Credits				\$455.00
9/3/2024	Transaction Assessment			\$435.00
9/3/2024	EFile Payment	Receipt # WEB-2024-69612	Asellus - Placer LLC, a Massachusetts limited liability company	(\$435.00)

1/29/2025	Transaction			\$20.00
	Assessment			

1/29/2025	EFile Payment	Receipt # WEB-2025-08619	Asellus - Placer LLC	(\$20.00)
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Documents

- 8-26-24 Complaint
- 8-26-24 Civil Case Cover Sheet
- 9-3-24 Summons
- 9-3-24 CV-48 Notice of Case Management Conference and Assignment of Judge for All Purposes
- 09/10/2024 - Proof of Service
- 12/31/24 Case Management Statement
- 1/16/25 Minute Order Attachment
- 01/30/25 Stipulation and Order to Transfer Venue

EXHIBIT “2”



Superior Court of the State of California, County of Yolo

Minute Order

**PUTAH CREEK FARMING CO. a California
corporation**

CV2024-2143

vs

**ANDERSEN & SONS SHELLING, INC, DOES 1 through
50, inclusive**

*Case Management Conference
Judge, Honorable Timothy L. Fall
Court Reporter:

Department 11
1/6/2025
9:00 AM
Clerk: Ashley Gantt

APPEARANCES:

ANDERSEN & SONS SHELLING, INC	Not Present
DOES 1 through 50, inclusive	Not Present
PUTAH CREEK FARMING CO. a California corporation	Not Present

Brienna Cowan, attorney for Plaintiff

- Remote Appearance -- Counsel for Plaintiff
- Further Case Management Conference scheduled for: Monday, July 7, 2025 Parties must file a new Case Management Statement pursuant to CRC 3.7525 and Local Rule 12.4. All CMC issues will be addressed including discovery schedules and trial date, as appropriate.

FUTURE COURT DATE(S):

- Matter is set for ***Case Management Conference** on Monday, July 7, 2025 at 9:00 AM in Department 11.
- All parties and their counsel may appear through remote technology for all proceedings, per CCP 367.75 and CRC 3.672.

EXHIBIT “3”

FILED
1/30/25

FRESNO COUNTY SUPERIOR COURT
By snunez DEPUTY

BOUTIN JONES INC.
Daniel S. Stouder (SBN 226753)
Michael C. Hopkins (SBN 328995)
555 Capitol Mall, Suite 1500
Sacramento, CA 95814-4603
T: (916) 321-4444/F: (916) 441-7597
Email: dstouder@boutinjones.com
mhopkins@boutinjones.com

Attorneys for Plaintiff Asellus - Placer LLC,
PAI Big Valley Ranch, LLC, PAI Bulldog
Ranches, LLC, PAI H&K Ranches, LLC,
Sunshine Agriculture Incorporated, and
PAI River Bend Ranches, LLC

RECEIVED
1/29/2025 10:58 AM
FRESNO COUNTY SUPERIOR COURT
By: Maria Lopez, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF FRESNO

UNLIMITED JURISDICTION

ASELLUS - PLACER LLC, a Massachusetts
limited liability company; PAI BIG VALLEY
RANCH, LLC, a Delaware limited liability
company; PAI BULLDOG RANCHES, LLC,
a Delaware limited liability company; PAI
H&K RANCHES, LLC, a Delaware limited
liability company; SUNSHINE
AGRICULTURE INCORPORATED, a
Florida nonprofit corporation; and PAI
RIVER BEND RANCHES, LLC; a Delaware
limited liability company;

Plaintiffs,

vs.

ANDERSEN & SONS SHELLING, INC., a
California corporation; and DOES 1 through
50, inclusive,

Defendants.

Case No. 24CECG03728

**STIPULATION TO TRANSFER VENUE TO
TEHAMA COUNTY SUPERIOR COURT;
~~PROPOSED~~ ORDER**

Action Filed: August 26, 2024
Trial Date: None Set

Plaintiffs Asellus - Placer LLC, PAI Big Valley Ranch, LLC, PAI Bulldog Ranches, LLC,
PAI H&K Ranches, LLC, Sunshine Agriculture Incorporated, and PAI River Bend Ranches, LLC
(collectively "Plaintiffs") and defendant Andersen & Sons Shelling, Inc. ("ASSI"), by and through
David Stapleton, the duly appointed Receiver for ASSI (collectively, the "Parties"), by and through
their respective counsel, hereby stipulate as follows:

RECITALS

WHEREAS, on August 5, 2024, non-party Golden State Farm Credit PCA and Golden State Farm Credit, FLCA filed a complaint against, among others, ASSI in Tehama County Superior Court, Case No. 24CI-000197.

WHEREAS, on August 8, 2024, the Tehama County Superior Court executed an Order Appointing Receiver and Issuing Preliminary Injunction (the “Order Appointing Receiver”). The Order Appointing Receiver appointed David Stapleton as the Receiver for ASSI and other related entities (the “Receiver”).

WHEREAS, on August 26, 2024, Plaintiffs filed a complaint initiating this action against ASSI in Fresno County Superior Court.

WHEREAS, the Parties, through their respective counsel, have met and conferred in good faith and have agreed to request that the Court transfer this case to Tehama County Superior Court in order to make all litigation against or affecting ASSI more streamlined and efficient.

STIPULATION

IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel of record, as follows:

1. Tehama County Superior Court is a proper venue for trial of this action pursuant to Code of Civil Procedure § 395 because, among other reasons, ASSI resides there;
2. The Parties respectfully request that this Court transfer this action to the Tehama County Superior Court; and
3. Plaintiffs shall pay applicable costs, if any, pursuant to Code of Civil Procedure § 399.

IT IS SO STIPULATED.

Dated: January 29, 2025

BOUTIN JONES INC.

By: _____



Daniel S. Stouder
Michael C. Hopkins

Attorneys for Plaintiff Asellus - Placer LLC, PAI BigValley Ranch, LLC, PAI Bulldog Ranches, LLC, PAI H&K Ranches, LLC, Sunshine Agriculture Incorporated, and PAI River Bend Ranches, LLC

1 Dated: January 27, 2025

PACHULSKI STANG ZIEHL & JONES LLP

2
3 By: 

John D. Fiero

Teddy M. Kapur

Attorneys for David Stapleton, Receiver

4
5
6
7 **~~PROPOSED~~ ORDER**

8 Good cause appearing, the Court HEREBY ORDERS that this matter is transferred to
9 Tehama County Superior Court upon payment of all necessary fees by the Parties. The Clerk of this
10 Court is authorized to transfer all pleadings and papers herein to the Clerk of Tehama County
11 Superior Court after such payment.

12 IT SO ORDERED.

13 DATED: 1/30/2025


JUDGE OF THE SUPERIOR COURT

EXHIBIT “4”

Case Information

CV2024-2143 | PUTAH CREEK FARMING CO. a California corporation vs ANDERSEN & SONS SHELLING, INC,DOES 1 through 50, inclusive

Case Number	Court	Judicial Officer
CV2024-2143	Superior Court of Yolo - Civil	Fall, Timothy L.
File Date	Case Type	Case Status
08/22/2024	06: Unlimited Breach of Contract/Warranty	Opened

Party

Plaintiff	Active Attorneys ▼
PUTAH CREEK FARMING CO. a California corporation	Lead Attorney
	KUZMICH, MICHAEL J
	Retained

Defendant
ANDERSEN & SONS SHELLING, INC

Defendant
DOES 1 through 50, inclusive

Events and Hearings

08/22/2024 *New Filed Case (JBSIS)
08/22/2024 Complaint Filed ▼ Comment FOR: 1. FORECLOSURE OF PRODUCERS LIEN 2. BREACH OFCONTRACT 3. CONVERSION 4. CONSTRUCTIVE TRUST
08/22/2024 Civil Case Cover Sheet
08/22/2024 Notice ▼ Comment OF CMC
08/23/2024 Summons Issued / Filed
08/23/2024 Notice of Case Assignment ▼ Comment JUDGE FALL/DEPT 11 ASSIGNED FOR ALL PURPOSES
09/06/2024 Proof of Service ▼ Comment INCOMPLETE #4
12/19/2024 Case Management / Status Conference Statement ▼ Comment FILED BY PLAINTIFF PUTAH CREEK FARMING CO.
12/20/2024 Proof of Service ▼ Comment AMENDED; SERVED ANDERSEN & SONS SHELLING, INC. BY SUB SERVICE WITH SUMMONS; COMPLAINT; ADR PACKAGE; CIVIL CASE COVER SHEET; NOTICE OF CMC ON 08/29/2024; DECL OF MAILING ATTACHED
01/06/2025 *Case Management Conference ▼ Minute Order Judicial Officer Fall, Timothy L. Hearing Time 9:00 AM

Held

01/06/2025 Remote Appearance ▼

Comment

-- Counsel for Plaintiff

01/30/2025 Document Sent To ▼

Comment

JUDGE FALL FOR REVIEW OF STIP AND ORDER TO TRANSFER VENUE

01/31/2025 Order for Transfer ▼

Comment

TO TRANSFER VENUE TO TEHAMA COUNTY SUPERIOR COURT

07/07/2025 *Case Management Conference ▼

Judicial Officer

Fall, Timothy L.

Hearing Time

9:00 AM

Cancel Reason

Vacated

Documents

Minute Order

EXHIBIT “5”

Case Information

24CV02570 | Nava Farms, Inc et al vs Andersen & Sons Shelling, Inc

Case Number	Court	Judicial Officer
24CV02570	Chico- Civil	Benson, Stephen E
File Date	Case Type	Case Status
07/31/2024	(06) Unlimited Breach of Contract/Warranty	Active

Party

Plaintiff
Nava Farms, Inc

Active Attorneys ▼
Lead Attorney
Swanson, Robert Daniel
Retained

Attorney
Kuzmich, Michael John
Retained

Plaintiff
Good Earth Partners, LP

Active Attorneys ▼
Lead Attorney
Swanson, Robert Daniel
Retained

Attorney
Kuzmich, Michael John
Retained

Cause of Action

File Date	Cause of Action	Type	Filed By	Filed Against
07/31/2024	Contract	Action		
07/31/2024	Contract	Action		
07/31/2024	Contract	Action		
07/31/2024	Contract	Action		
07/31/2024	Contract	Action		
07/31/2024	Contract	Action		

Events and Hearings

07/31/2024 Complaint ▼	
Complaint	
07/31/2024 Civil Case Cover Sheet ▼	
Civil Case Cover Sheet	
07/31/2024 Cause Of Action ▼	
Action	File Date
Contract	07/31/2024

07/31/2024 Cause Of Action ▼

Action	File Date
Contract	07/31/2024

07/31/2024 Cause Of Action ▼

Action	File Date
Contract	07/31/2024

07/31/2024 Cause Of Action ▼

Action	File Date
Contract	07/31/2024

07/31/2024 Cause Of Action ▼

Action	File Date
Contract	07/31/2024

07/31/2024 Cause Of Action ▼

Action	File Date
Contract	07/31/2024

08/07/2024 Notice of Assignment and Case Management Conference ▼

Notice of Assignment and Case Management Conference

Judicial Officer
Benson, Stephen E

08/07/2024 Proof of Mailing ▼

Proof of Mailing

08/07/2024 Proof of Service ▼

Served
08/20/2024

08/08/2024 Summons Issued and Filed ▼

Summons Issued and Filed

08/08/2024 Proof of Service ▼

08/20/2024

01/17/2025 Proof of Service of Summons Filed ▼

Proof of Service of Summons/Complaint

01/17/2025 Case Management Statement ▼

Plaintiffs' Case Management Statement

01/29/2025 Case Management Conference ▼

Original Type

Case Management Conference

Complaint

Notice of Assignment and Case Management Conference

Proof of Mailing

Proof of Service of Summons/Complaint

Plaintiffs' Case Management Statement

Civil Minutes

Judicial Officer

Benson, Stephen E

Hearing Time

10:30 AM

Result

Held**Parties Present ▲****Plaintiff****Attorney: Swanson, Robert Daniel****Plaintiff****Attorney: Swanson, Robert Daniel**

01/29/2025 Minute Order ▼

Civil Minutes

04/30/2025 Case Management Conference ▼

Judicial Officer

Benson, Stephen E

Hearing Time

10:30 AM

Documents

Complaint
Civil Case Cover Sheet
Notice of Assignment and Case Management Conference
Proof of Mailing
Summons Issued and Filed
Proof of Service of Summons/Complaint
Plaintiffs' Case Management Statement
Civil Minutes

EXHIBIT “6”

Case Information

CVCV24-01097 | Danna Farms Inc. vs. Andersen & Sons Shelling, Inc

Case Number	Court	Judicial Officer
CVCV24-01097	Civil Cases	Berrier, Stephen W
File Date	Case Type	Case Status
08/21/2024	(06) Unlimited Breach of Contract/Warranty (CVCV)	Active

Party

Plaintiff
Danna Farms Inc.

Active Attorneys ▼
Lead Attorney
Boutin Jones Inc
Retained

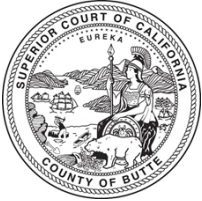
Attorney
Kuzmich, Michael John
Retained

Defendant
Andersen & Sons Shelling, Inc

Events and Hearings

08/21/2024 Electronic File as of this date
08/21/2024 Complaint
08/21/2024 Civil Case Cover Sheet
08/21/2024 Summons Issued / Filed
08/22/2024 Notice of Case Management Conference
09/06/2024 Proof of Service of Summons
12/09/2024 Case Management Statement
12/23/2024 Case Management Conference ▼ Judicial Officer Bendorf, Melanie K. Hearing Time 1:30 PM Result Not at Issue
12/23/2024 Clerk's Minutes
01/30/2025 Stipulation & Order - No Fee
03/17/2025 Case Management Conference ▼ Judicial Officer Berrier, Stephen W Hearing Time 1:30 PM Cancel Reason Vacated

EXHIBIT “7”



Superior Court of California, County of Butte

Minute Order

Nava Farms, Inc et al vs Andersen & Sons Shelling, Inc

24CV02570

Hearing Type: Case Management Conference

Hearing Date: January 29, 2025 at 10:30 AM

Location: NC-2; Department 6 -
Stephen E. Benson

Heard by: Hon. Stephen E. Benson, Judge

Courtroom Clerk: Jordan Howell

Court Reporter: N/A

Court Interpreter: N/A

Appearances:

Andersen & Sons Shelling, Inc, Defendant, not present

Good Earth Partners, LP, Plaintiff, not present

Nava Farms, Inc, Plaintiff, not present

Robert Swanson, Attorney, Retained Counsel,
present by Michael Kuzmich via CourtCall
Robert Swanson, Attorney, Retained Counsel,
present by Michael Kuzmich via CourtCall

Proceedings:

- Court continues the matter at counsel's request so that defendant may be served.

Counsel indicates they will be transferring this matter to Tehama County.

Mr. Kuzmich waives notice and agrees to give notice.

Calendar Settings:


April 30, 2025 10:30 AM Case Management Conference

Benson, Stephen E

NC-2

Department 6 - Stephen E. Benson

EXHIBIT “8”

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: Robert D. Swanson / Michael J. Kuzmich FIRM NAME: Boutin Jones Inc. STREET ADDRESS: 555 Capitol Mall, Suite 1500 CITY: Sacramento STATE: CA ZIP CODE: 95814 TELEPHONE NO.: (916) 321-4444 FAX NO.: (916) 441-7597 EMAIL ADDRESS: rswanson@boutinjones.com; mkuzmich@boutinjones.com ATTORNEY FOR (name): Plaintiffs Nava Farms, Inc. and Good Earth Partners, LP	FOR COURT USE ONLY <div style="display: flex; justify-content: space-between;"> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">FILED</div> <div> <p>Superior Court of California</p> <p>County of Butte</p> <p>1/17/2025</p> <p>Sharif Elmalah, Clerk</p> <p>By  Deputy</p> <p>Electronically FILED</p> </div> <div style="writing-mode: vertical-rl; transform: rotate(180deg);">FILED</div> </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Butte STREET ADDRESS: 1775 Concord Avenue MAILING ADDRESS: CITY AND ZIP CODE: Chico, CA 95928 BRANCH NAME:	
PLAINTIFF/PETITIONER: Nava Farms, Inc. and Good Earth Partners, LP DEFENDANT/RESPONDENT: Andersen & Sons Shelling, Inc.	
CASE MANAGEMENT STATEMENT (Check one): <input checked="" type="checkbox"/> UNLIMITED CASE (Amount demanded exceeds \$35,000) <input type="checkbox"/> LIMITED CASE (Amount demanded is \$35,000 or less)	
CASE NUMBER: 24CV02570	
A CASE MANAGEMENT CONFERENCE is scheduled as follows: Date: January 29, 2025 Time: 10:30 a.m. Dept.: 6 Div.: Room: Address of court (if different from the address above):	
<input checked="" type="checkbox"/> Notice of Intent to Appear by Telephone, by (name): Robert D. Swanson or Michael J. Kuzmich	

INSTRUCTIONS: All applicable boxes must be checked, and the specified information must be provided.

1. **Party or parties (answer one):**
 - a. ☒ This statement is submitted by party (name): Plaintiffs Nava Farms, Inc. and Good Earth Partners, LP
 - b. ☐ This statement is submitted **jointly** by parties (names):
2. **Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**
 - a. The complaint was filed on (date): July 31, 2024
 - b. ☐ The cross-complaint, if any, was filed on (date):
3. **Service (to be answered by plaintiffs and cross-complainants only)**
 - a. ☒ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
 - b. ☐ The following parties named in the complaint or cross-complaint
 - (1) ☐ have not been served (specify names and explain why not):
 - (2) ☒ have been served but have not appeared and have not been dismissed (specify names): Andersen & Sons Shelling, Inc.
 - (3) ☐ have had a default entered against them (specify names):
 - c. ☐ The following additional parties may be added (specify names, nature of involvement in case, and date by which they may be served):
4. **Description of case**
 - a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action):
 1) Enforcement of Producer's Lien; 2) Breach of Contract; 3) Common Counts; and 4) Constructive Trust

PLAINTIFF/PETITIONER: Nava Farms, Inc. and Good Earth Partners, LP DEFENDANT/RESPONDENT: Andersen & Sons Shelling, Inc., et al.	CASE NUMBER: 24CV02570
--	---------------------------

4. b. Provide a brief statement of the case, including any damages (*if personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings; if equitable relief is sought, describe the nature of the relief*):
In 2023, Plaintiffs delivered walnuts to Defendant. Defendant made partial payments for these crops but still owes Plaintiffs balances of at least \$109,544 (Nava Farms) and \$337,222 (Good Earth). Plaintiffs filed this action to foreclose their statutory producer's liens, and for breach of contract, conversion, and constructive trust.

☐ (*If more space is needed, check this box and attach a page designated as Attachment 4b.*)

5. **Jury or nonjury trial**

The party or parties request ☐ a jury trial ☒ a nonjury trial. (*If more than one party, provide the name of each party requesting a jury trial*):

6. **Trial date**

- a. ☐ The trial has been set for (*date*):
- b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint (*if not, explain*):
- c. Dates on which parties or attorneys will not be available for trial (*specify dates and explain reasons for unavailability*):
2/18/25 – 03/04/25; 04/14/25 – 4/25/25; 09/29/25 – 10/10/25; 04/20/26 – 04/22/26

7. **Estimated length of trial**

The party or parties estimate that the trial will take (*check one*)

- a. ☒ days (*specify number*): 2-3
- b. ☐ hours (short causes) (*specify*):

8. **Trial representation (to be answered for each party)**

The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:

- a. Attorney:
- b. Firm:
- c. Address:
- d. Telephone number:
- e. Email address:
- f. Fax number:
- g. Party represented:

☐ Additional representation is described in Attachment 8.

9. **Preference**

☐ This case is entitled to preference (*specify code section*):

10. **Alternative dispute resolution (ADR)**

- a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.
- (1) For parties represented by counsel: Counsel ☐ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
- (2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.
- b. **Referral to judicial arbitration or civil action mediation (if available).**
- (1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
- (2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
- (3) ☒ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. (*specify exemption*): Equitable relief sought; amount at issue exceeds \$50,000. Cal Rules of Court, rule 3.811(1), (8).

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10. c. In the table below, indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input type="checkbox"/>	<input type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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11. Insurance

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. ☒ There are companion, underlying, or related cases.
- (1) Name of case: Golden State Farm Credit ACA v. Andersen & Son Shelling Inc. et al.
- (2) Name of court: Tehama County Superior Court
- (3) Case number: Case No. 24-CI-000197
- (4) Status: Complaint filed August 5, 2024
- ☐ Additional cases are described in Attachment 13a.
- b. ☒ A motion to ☐ consolidate ☒ coordinate will be filed by (*name party*): See Item 18

14. Bifurcation

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

15. Other motions

- ☒ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
 See Item 18

16. Discovery

- a. ☐ The party or parties have completed all discovery.
- b. ☐ The following discovery will be completed by the date specified (*describe all anticipated discovery*):

Party

Description

Date

- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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17. Economic litigation

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$35,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed *(if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case)*:

18. Other issues

- ☒ The party or parties request that the following additional matters be considered or determined at the case management conference *(specify)*:
 In August 2024, the Tehama County Superior Court appointed David Stapleton as the Receiver for Andersen & Sons Shelling Inc. ("ASSI") and other Andersen-related persons and entities. There are dozens of crop producers who are similarly situated to Plaintiff (they have not been paid in full for their 2023 crops and have filed lawsuits against ASSI to foreclose their producer's liens). Plaintiffs intend to file a Stipulation to transfer this action to Tehama County where it can be consolidated with other ASSI-related cases.

19. Meet and confer

- a. ☐ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court *(if not, explain)*:
- b. ☒ After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following *(specify)*:
 Plaintiff has not required ASSI to file a responsive pleading in this action, and counsel for the parties have not met and conferred per Rule 3.724. However, counsel for the Receiver has agreed to execute a Stipulation to transfer this case to Tehama County where it can be consolidated with other ASSI-related cases.

20. Total number of pages attached *(if any)*: 0

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: January 17, 2025

Michael J. Kuzmich

(TYPE OR PRINT NAME)



MJK

(SIGNATURE OF PARTY OR ATTORNEY)



(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

CASE: *Nava Farms, Inc., et al. v. Andersen & Sons Shelling, Inc., et al.*
CASE NO. Butte County Superior Court Case No. 24CV02570

PROOF OF SERVICE

I am employed in the County of Sacramento; my business address is 555 Capitol Mall, Suite 1500, Sacramento, California 95814. I am over the age of eighteen years and not a party to the foregoing action.

On the date set forth below, I served the within:

PLAINTIFFS' CASE MANAGEMENT STATEMENT

	by mail on all parties in said action by regular, first class United States mail, postage fully pre-paid, by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below.
<input checked="" type="checkbox"/>	by e-mail or electronic transmission to the person(s) and at the Email address(es) set forth below in accordance with Code of Civil Procedure § 1010.6.

Tobias Keller, Esq. Jane Kim, Esq. KELLER BENVENUTTI AND KIM 425 Market Street, 26th Floor San Francisco, CA 94105 Tel: 415.496.6723 tkeller@kbklp.com jkim@kbklp.com	Attorneys for Defendant, ANDERSEN & SONS SHELLING, INC.
John Fiero, Esq. Teddy M. Kapur, Esq. Gail S. Greenwood, Esq. PACHULSKI STANG ZIEHL & JONES LLP One Sansome Street, Suite 3430 San Francisco, CA 94104 Tel: 415.263.7000 jfiero@pszjlaw.com tkapur@pszjlaw.com ggreenwood@pszjlaw.com	Attorneys for David Stapleton, the Court-Appointed Receiver of Andersen & Sons Shelling, Inc., in <i>Golden State Farm Credit ACA v. Andersen & Son Shelling Inc. et al.</i> , Tehama County Superior Court Case No. 24-CI-000197

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on January 17, 2025.



Shayne R. Richards